

Attorney Docket # 5123-30RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Reinhard P. KLEMM et al.

Serial No.: 10/090,041

Filed: March 1, 2002

For: Automatic Failure Detection and Recovery of  
Applications

Examiner: Manoskey, Joseph  
Group Art: 2113

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June 26, 2006

(Date of Deposit)

Edward M. Weisz

Name of applicant, assignee or Registered Representative

Signature

June 26, 2006

Date of Signature

Commissioner for Patents  
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COMMUNICATION

SIR:

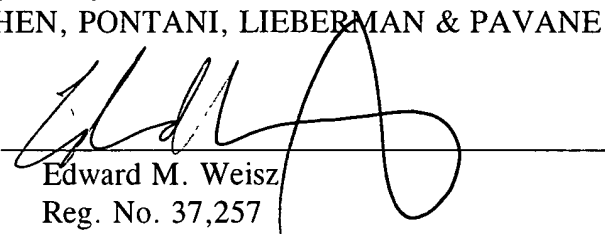
This Communication is submitted in response to the March 27, 2006 Office Action issued in connection with the above-identified patent application. In the Office Action, the claims stand rejected as allegedly rendered obvious from the combination of (1) Klemm and Singh, Enhancing Java Server Availability With JAS which was published on March 16, 2001, and (2) U.S. Patent No. 6,757,897 (Shi et al.). It has now been determined that Mr. Navjot Singh, the co-author with Mr. Klemm on the primary reference (Enhancing Java Server Availability With JAS) was inadvertently omitted as a co-inventor on the subject application. Accordingly, applicant has submitted herewith a Request to Correct Inventorship Under 37 C.F.R. §1.48(a). In view of the Request to Correct Inventorship, the "Enhancing Java Server Availability With JAS"

reference is no longer prior art under 35 U.S.C. §102(a) and, consequently, under 35 U.S.C. §103. Accordingly, it is believed that all pending claims are now in condition for immediate allowance.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE LLP

By

A handwritten signature in black ink, appearing to read 'Ed Weisz', is written over a horizontal line.

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